



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/327,766	06/07/1999	NANCY ELLMAN	SYMA1039MCF/	5881

23910 7590 03/21/2002

FLIESLER DUBB MEYER & LOVEJOY, LLP
FOUR EMBARCADERO CENTER
SUITE 400
SAN FRANCISCO, CA 94111

EXAMINER

PARDO, THUY N

ART UNIT	PAPER NUMBER
----------	--------------

2175

DATE MAILED: 03/21/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/327,766

Applicant(s)

Ellman et al.

Examiner

Thuy Pardo

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jan 8, 2002.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 31-56 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 31-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____


DIANE D. MZRAHI
PRIMARY PATENT EXAMINER
TECHNOLOGY CENTER 2100

DETAILED ACTION

1. Applicant's amendment filed on January 08, 2002 has been reviewed. Claims 1-30 have been canceled and claims 31-56 have been added.

2. Claims 31-56 are presented for examination.

New Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 31-56 are rejected under 35 U.S.C. § 102(e) as being anticipated by **Kaufman** patent no. 6,034,621.

As to claim 31, Kaufman teaches a method for synchronizing information between a first computer and a second computer [see the title, abstract; col. 1, lines 14-47], comprising the steps of:
selecting an item of information stored on said first computer [data files 608, fig. 5-7; col. 2, lines 33-53];

identifying a corresponding item of information stored on said second computer [data file 614 of fig. 5-7; col. 2, lines 33-53]; and

replacing said corresponding item of information stored on said second computer with said item of information stored on said first computer [updating of remote files, see the abstract].

As to claim 32, Kaufman teaches the invention substantially as claimed. Kaufman further teaches determining, subsequent to said step of identifying a corresponding item of information, whether said selected item of information is more recent than said corresponding item of information [update or change to either data file 608, 614, col. 4, lines 30-44]; and,

wherein said step of replacing said corresponding item of information includes replacing said corresponding item of information stored on said second computer with said selected item of information stored on said first computer, only if it is determined that said selected item of information is more recent than said corresponding item of information [update datafile 614 in accordance with changes made to the PC's data file 608, col. 6, lines 6-10].

As to claim 34, Kaufman teaches the invention substantially as claimed, with the exception of accessing a first date and time associated with said selected item of information; accessing a second date and time associated with said corresponding item of information; and determining if said first date and time is more recent than said second date and time. However, since Kaufman teaches updating datafile 614 in accordance with changes made to the PC's data file 608, [see col. 6, lines 6-10], and accessing date and time associated with said corresponding item of information [col. 1, lines

33-39; col. 4, lines 40-44], the features of accessing a first date and time associated with said selected item of information; accessing a second date and time associated with said corresponding item of information; and determining if said first date and time is more recent than said second date and time are inherent in the system in order to update datafile 614 in accordance with changes made to the PC's data file 608.

As to claim 35, Kaufman teaches the invention substantially as claimed. Kaufman further teaches that said step of replacing said corresponding item of information stored on said second computer with said selected item of information stored on said first computer, replaces said corresponding item of information with a copy of said selected item of information [update datafile 614 in accordance with changes made to the PC's data file 608, col. 6, lines 6-10].

As to claim 36, it is similar to claim 1; therefore, it is rejected under the same rationale.

As to claim 37, Kaufman teaches the invention substantially as claimed. Kaufman further teaches retrieving said item of information retrieves a copy of said item of information [col. 1, lines 25-39].

As to claim 38, Kaufman teaches the invention substantially as claimed. Kaufman further teaches storing said item of information on said second computer responsive to said step of retrieving said item of information [col. 1, lines 25-39].

As to claim 39, Kaufman teaches the invention substantially as claimed. Kaufman further teaches connecting said second computer with said first computer [ab]; identifying, with said second computer, a storage location on said first computer for storing said item of information [inherent in the system]; and, providing said item of information to said first computer [two-way paging, see fig. 1; col. 6, lines 40-45].

As to claim 40, Kaufman teaches the invention substantially as claimed. Kaufman further teaches verifying that said item of information provided to said first computer has been received by said first computer; and, disconnecting said second computer from said first computer [inherently having this feature in a not- on-demand state in the system].

As to claim 42, Kaufman teaches the invention substantially as claimed. Kaufman further teaches that said at least one event being monitored is an event selected from a group of events comprising an incoming telephone call, an outgoing telephone call, an incoming facsimile, and an outgoing facsimile [abstract; col. 2, lines 6-16].

As to claim 45, Kaufman teaches the invention substantially as claimed. Kaufman further teaches that a work monitor interface [inherent in the system in order to identify changes to data files, ab], including information identifying an occurrence of an event or activity [changes to the data file, abstract]; and a file synchronization interface [inherent in the system in order to synchronize data files between PC and PDA, see the title], providing the ability to select at least one item of information,

contained on said first computing device, for synchronization with a second computing device [abstract; two-way paging network, fig. 1].

As to claim 51, Kaufman teaches the invention substantially as claimed. Kaufman further teaches that said file synchronization interface includes an information addition module [inherent in the system in order to add information to the existing list, col. 5, lines 36-40], for adding an identification of information to said list [col. 5, lines 36-40].

As to claim 55, Kaufman teaches the invention substantially as claimed. Kaufman further teaches displaying a result of selection of said begin synchronization module, identifying the progress of synchronization information between said first computing device and said second computing device [inherently having these features in the personal computer and the handheld computer in order to scheduling and managing information, col. 1, lines 14-32; fig. 1].

The elements of claims 33, 41, 43, 44, 46-50, 52-54, and 56 are rejected in the analysis above, and these claims are rejected on that basis.

5. Applicant's arguments with respect to claims 31-56 have been considered but are moot in view of the new grounds of rejection.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Pardo, whose telephone number is (703) 305-1091. The examiner can normally be reached Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

The fax phone number for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238	(After Final Communication)
(703) 746-7239	(Official Communication)
(703) 746-7240	(For Status inquiries, draft communication)

Serial Number: 09/327,766
Art Unit: 2175

Page 8

and/or:

(703) 746-5616 (Use this Fax#, only after approval by Examiner, for "INFORMAL" or "Draft" communication. Examiner may request that a formal/amendment be faxed directly to then on occasions).

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

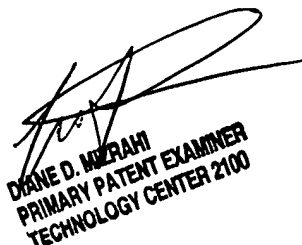
(703) 308-5359, (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).



Thuy Pardo
March 15, 2002



DIANE D. MCRAM
PRIMARY PATENT EXAMINER
TECHNOLOGY CENTER 2100